

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
REGISTERED
NURSING**

CHAPTER 54 REGISTERED NURSING

Secs.	
5400	General
5401	Term of License
5402	Educational Requirements
5403	Educational Requirements for Applicants Educated in Foreign Countries
5404	Licensure by Examination
5405	Licensure by Endorsement
5406	Licensure by Re-Entry Program
5407	Reactivation of an Inactive License
5408	Reinstatement of an Expired License
5409	Renewal of a License
5410	Continuing Education
5411	Supervised Practice of Students
5412	Supervised Practice of Graduate Nurses
5413	Supervised Practice of Applicants for Licensure by Endorsement
5414	Scope of Practice
5415	Delegation of Nursing Interventions
5416	Standards of Conduct
5499	Definitions

5400 GENERAL

- 5400.1 This chapter shall apply to applicants for and holders of a license to practice registered nursing.
- 5400.2 Chapters 40 (General Rules) and 41 (Administrative Procedures) of this title shall supplement this chapter.

5401 TERM OF LICENSE

- 5401.1 Subject to § 5401.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each even-numbered year.
- 5401.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birth date of the holder of the license, or other date established by the Director.

5402 EDUCATIONAL REQUIREMENTS

- 5402.1 Except as otherwise provided in this chapter, an applicant for a license shall furnish proof satisfactory to the Board in accordance with § 504(n) of the Act, D.C. Official Code § 3-1205.04(n) of the following:

- (a) That the applicant has successfully completed a nursing education program leading to licensure as a registered nurse which was approved by the Board or

by a nursing board in the United States or U.S. territory with standards determined by the Board to be substantially equivalent to the standards in the District; or

- (b) That the applicant has successfully completed a basic nursing education program in Canada leading to licensure as a registered nurse which was approved by a Canadian Provincial nursing board with standards determined by the Board to be substantially equivalent to the standards in the District. The applicant shall:
 - (1) Furnish proof satisfactory to the Board in accordance with § 504(n) of the Act, D.C. Official Code § 3-1205.04(n), that the applicant's education and training are substantially equivalent to the requirements of this chapter and the Act; and
 - (2) If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit the translation signed by the translator attesting to its accuracy.

5403 EDUCATIONAL REQUIREMENTS FOR APPLICANTS EDUCATED IN FOREIGN COUNTRIES

5403.1 An applicant for a license who completed an educational program in a foreign country, which program was not approved in accordance with § 5402.1, shall furnish proof satisfactory to the Board in accordance with § 504(n) of the Act, D.C. Official Code § 3-1205.04(n) of the following:

- (a) That the applicant's education and training are substantially equivalent to the requirements of this chapter and the Act;
- (b) That the applicant successfully completed the Commission on Graduates of Foreign Nursing Schools (CGFNS) examination by submitting a certificate from CGFNS; and
- (c) That the applicant has spoken and written competency in English by documenting one of the following:
 - (1) Graduation from a nursing program where English was the only language of instruction through the applicant's inclusive dates of attendance;
 - (2) Successful completion of the Test of Spoken English (TSE) examination with a passing score of fifty (50);

- (3) Successful completion of the International English Language Testing System (IELTS) examination with a passing score of six and one half (6.5) overall with a spoken band score of seven (7.0); or
- (4) Provide proof that the applicant has completed a total of twelve (12) months of full-time employment in the United States during the two (2) years immediately preceding the date of application.

5403.2 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit the translation signed by the translator attesting to its accuracy.

5404 LICENSURE BY EXAMINATION

5404.1 To qualify for a license by examination, an applicant shall:

- (a) Receive a passing score on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) developed by the National Council of State Boards of Nursing, Inc. (NCSBN). The passing score on the NCLEX-RN shall be the passing score established by the NCSBN;
- (b) Meet the educational requirements of this chapter; and
- (c) Meet any other requirements as set forth by the Board.

5404.2 To apply for a license by examination, an applicant shall:

- (a) Submit a completed application to the Board on the required forms and include:
 - (1) The applicant's social security number on the application. If the applicant does not have a social security number, the applicant shall submit with the application a sworn affidavit, under penalty of perjury, stating that he or she does not have a social security number; and
 - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly exposes the area from the top of the forehead to the bottom of the chin.
- (b) Arrange for a certified transcript of the applicant's academic record and a letter of recommendation from the nurse administrator of the school or college to be sent directly from the educational institution to the Board;
- (c) Sit for the NCLEX-RN examination not later than ninety (90) days following submission of the application. The Board may, in its discretion, grant an extension of the time requirement if the applicant's failure to sit for the

examination was for good cause. As used in this section “good cause” includes the following:

- (1) Serious and protracted illness of the applicant; or
- (2) The death or serious and protracted illness of a member of the applicant’s immediate family.

(d) Submit any other required documents; and

(e) Pay all required fees.

5404.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, comply with the current requirements for licensure, and pay the required fees.

5404.4 If an applicant has not yet taken or passed the NCLEX-RN examination six (6) months after the date the applicant became eligible to sit for the exam, the applicant shall complete a review course approved by the Board and provide proof of having completed the course in order to be eligible to sit for the next available NCLEX-RN examination. For purposes of this section:

- (a) Graduates of an educational program in registered nursing approved in accordance with § 5402.1 are eligible to sit for the exam upon graduation.
- (b) Graduates of an educational program in registered nursing in a foreign country not approved in accordance with § 5402.1 are eligible to sit for the exam upon completion of the requirements set forth in § 5403.1.

5404.5 If an applicant has not yet taken or passed the NCLEX-RN examination two (2) years after the date the applicant became eligible to sit for the exam, the applicant shall complete a remedial course approved by the Board and provide proof of having completed the course in order to be eligible to sit for the next available NCLEX-RN examination.

5404.6 If an applicant has not yet taken or passed the NCLEX-RN examination three (3) years after the date the applicant became eligible to sit for the exam, the applicant shall complete an additional educational program leading to a degree in registered nursing approved by the Board and provide proof of having completed the program in order to be eligible to sit for the next available NCLEX-RN examination.

5405 LICENSURE BY ENDORSEMENT

5405.1 An applicant is eligible for licensure by endorsement if the applicant is currently licensed as a registered nurse under the laws of a state or territory of the United States; and if the applicant's original licensure in a state or territory was based upon:

- (a) A passing score on a state constructed examination taken prior to 1949;
- (b) A passing score on the State Board Test Pool Examination for nurses taken between January 1949 and February 1982; or
- (c) A passing score on the NCLEX-RN.

5405.2 To apply for a license by endorsement, an applicant shall:

- (a) Submit a completed application to the Board on the required forms and include:
 - (1) The applicant's social security number on the application. If the applicant does not have a social security number, the applicant shall submit a sworn affidavit, under penalty of perjury, with the application stating that he or she does not have a social security number; and
 - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly exposes the area from the top of the forehead to the bottom of the chin.
- (b) Submit a copy of his or her current license with the application;
- (c) Obtain licensure verification from the original state or territory of licensure that the license is current and in good standing:
 - (1) If the license from the original state or territory is not current, an applicant shall obtain verification from a state or territory that the applicant holds a current license in good standing; and
 - (2) The licensure verification form must be sent directly to the Board, by the verifying Board;
- (d) Meet any other requirements as set forth by the Board; and
- (e) Pay all required fees.

5405.3 If the applicant completed an educational program for registered nursing in a foreign country, which program was not approved in accordance with the requirements set forth in § 5402.1, the applicant shall also demonstrate spoken and written competency in English by providing documentation of one of the following:

- (a) Graduation from a nursing program where English was the only language of

instruction throughout the applicant's inclusive dates of attendance;

- (b) Successful completion of the Test of Spoken English (TSE) examination;
- (c) Successful completion of the International English Language Testing System (IELTS) examination with a passing score of six and one half (6.5) overall with a spoken band score of seven (7.0); or
- (d) Provide proof that the applicant has completed a total of twelve (12) months of full-time employment at a health care facility in a state or territory of the United States during the two (2) years immediately preceding the date of application.

5405.4 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.

5405.5 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify an applicant's current licensure standing in other jurisdictions of the U.S. or to review disciplinary records.

5406 LICENSURE BY RE-ENTRY PROGRAM

5406.1 A health professional who fails to apply for reinstatement of a District of Columbia registered nursing license within five (5) years after the license expires, and who is not currently licensed to practice registered nursing under the laws of a state or territory of the United States, may apply for licensure to practice registered nursing in the District of Columbia under licensure by re-entry program.

5406.2 To apply for licensure by re-entry program, an applicant shall:

- (a) Submit a completed application to the Board on the required forms and include:
 - (1) The applicant's social security number on the application; and
 - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly exposes the area from the top of the forehead to the bottom of the chin.
- (b) Submit proof of completion of a re-entry program approved by the Board;
- (c) Submit any other required documents; and
- (d) Pay all required fees.

5406.3 An application that remains incomplete for ninety (90) days or more from the date

of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, comply with the current requirements for licensure, and pay the required fees.

5407 REACTIVATION OF AN INACTIVE LICENSE

5407.1 A licensee in an inactive status, pursuant to § 511 of the Act, D.C. Official Code § 3-1205.11, shall apply for reactivation of the license by submitting a completed application on the forms required by the Board and paying the required fees.

5407.2 A licensee in an inactive status, pursuant to § 511 of the Act, D.C. Official Code § 3-1205.11, for twelve (12) months or more, who submits an application to reactivate a license shall:

- (a) Submit proof as set forth in § 5409 of having completed twelve (12) hours of continuing education in the licensee's current area of practice for each year, or any portion thereof, the license was in inactive status up to a maximum of twenty-four (24) hours of continuing education. Only continuing education taken in the two (2) years immediately preceding the application date will be accepted; or
- (b) Submit proof of a current license in good standing to practice registered nursing in a state or territory of the United States. Verification of good standing must be sent directly to the Board by the verifying Board.

5407.3 A licensee in an inactive status, pursuant to § 511 of the Act, D.C. Official Code § 3-1205.11, for two (2) years or more, who submits an application to reactivate a license shall:

- (a) Submit proof as set forth in § 5409 of having completed twelve (12) hours of continuing education in the licensee's current area of practice for each year, or any portion thereof, the license was in inactive status up to a maximum of twenty-four (24) hours of continuing education. Only continuing education taken in the two (2) years immediately preceding the application date will be accepted;
- (b) Submit proof of completing a re-entry program approved by the Board; or
- (c) Submit proof of a current license in good standing to practice registered nursing in a state or territory of the United States. Verification of good standing must be sent directly to the Board by the verifying Board.

5408 REINSTATEMENT OF AN EXPIRED LICENSE

5408.1 An applicant for reinstatement of a license shall:

(a) Submit proof as set forth in § 5410 of having completed twenty-four (24) hours of continuing education in the applicant's current area of practice in the two (2) years immediately preceding the application date; and

(b) Meet any other requirements that the Board may set forth to determine whether the license should be reinstated

5408.2 An applicant for reinstatement of a license shall submit the completed application and documents required by the Board and pay the required fees.

5408.3 The Board shall not reinstate the license of an applicant who fails to apply for reinstatement of the license within five (5) years after the license expires. The applicant shall apply, and meet the requirements in existence at that time, for licensure by examination or endorsement.

5409 RENEWAL OF A LICENSE

5409.1 A licensee shall renew his or her license by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the license.

5409.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the license expires.

5409.3 A licensee shall have the burden of notifying the Board if a renewal notice is not received.

5409.4 A licensee shall notify the Board in writing of a change of home or business address within thirty (30) days after the change.

5409.5 A licensee applying for renewal shall submit proof as set forth in § 5410 of completion of twenty-four (24) contact hours of continuing education in the licensee's current area of practice commencing with the renewal period of 2006. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.

5409.6 A licensee applying for renewal of a license who fails to submit proof of having completed the continuing education requirements by the date the license expires may renew the license within sixty (60) days after the expiration by submitting proof pursuant to § 5410 and by paying the required late fees.

5409.7 Upon submitting proof and paying the required late fees, the licensee shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documents and fees.

5409.8 If a licensee applying for renewal of a license fails to submit proof of completion of

the continuing education requirements, or pay the late fee within sixty (60) days after the expiration of the applicant's license, the license shall be considered to have lapsed on the date of expiration and the health care professional shall thereafter be required to apply for reinstatement of an expired license and meet all requirements and fees for reinstatement.

5409.9 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the license after expiration, if the licensee's failure to submit proof of completion of the continuing education requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:

- (a) Serious and protracted illness of the licensee; and
- (b) The death or serious and protracted illness of a member of the licensee's immediate family.

5409.10 The Board may, in its discretion, waive continuing education requirements for a licensee who submits proof of:

- (a) Serving as a speaker at an approved continuing education program. The presentation shall have been completed during the period for which credit is claimed; or
- (b) Being the author or editor of a published periodical, if the periodical has been published or accepted for publication during the period for which credit is claimed.

5409.11 If a licensee has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless the presentation involved either a different subject or substantial additional research concerning the same subject.

5410 CONTINUING EDUCATION

5410.1 The Board, in its discretion, may approve continuing education programs and activities that contribute to the growth of an applicant in professional and competence in the practice of registered nursing and which meet the other requirements of this section.

5410.2 Continuing education credit may be granted only for programs or activities approved by the Board.

5410.3 The Board shall maintain a list of approved continuing education programs which shall be available to the public during regular business hours and posted on the Department's internet website.

- 5410.4 A licensee shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to enrolling in a program.
- 5410.5 At the request of a licensee, or the sponsor of a continuing education program, the Board may approve the following types of continuing education programs if the program meets the requirements of this section:
- (a) An undergraduate course or graduate course given at an accredited college or university;
 - (b) A conference, course, seminar, or workshop;
 - (c) An educational course offered through the internet; or
 - (d) Other programs approved by the Board which meet the requirements of this section.
- 5410.6 To qualify for approval by the Board, a continuing education program shall meet the following requirements:
- (a) Be current in its subject matter;
 - (b) Be developed and taught by qualified individuals; and
 - (c) Meet one of the following requirements:
 - (1) Be administered and approved by a registered nurse, nursing organization, or health services organization that is recognized by the Board; or
 - (2) Be administered and approved by a health care facility, institution, organization, college, school, or university that is accredited by the Secretary of the United States Department of Education, the Council on Post Secondary Accreditation, or the American Nurses Credentialing Center (ANCC).
- 5410.7 A licensee shall submit the following information with respect to each program for which continuing education is claimed, on a form required by the Board:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the name(s) of the instructor(s);
 - (c) The date(s) on which the licensee attended the program;

(d) The hours of credit claimed; and

(e) Attach a verification form signed and stamped by the program sponsor.

5410.8 The Board shall grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

5410.9 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.

5411 SUPERVISED PRACTICE OF STUDENTS

5411.1 A student may practice registered nursing only in accordance with the Act and this chapter.

5411.2 A student who is fulfilling educational requirements under § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), may be authorized to engage in the supervised practice of registered nursing without a District of Columbia license.

5411.3 Only a registered nurse licensed under the Act, who is an appointed faculty member of the accredited school, college, or university, or a preceptor meeting the qualifications set forth in chapter 56 of this title, shall be authorized to supervise the practice of registered nursing by a student.

5411.4 A student who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, a health education center, or other health care facility considered appropriate by the school, college, or university.

5411.5 All supervised practice of a student shall take place under general or immediate supervision of a registered nurse.

5411.6 A person who has been denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5411.7 A student practicing under this section shall not assume administrative or technical responsibility for the operation of a nursing program, unit, service, or institution.

5411.8 A student shall identify himself or herself as such before engaging in the supervised practice of registered nursing. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.

- 5411.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.
- 5411.10 The appointed supervising faculty member shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.
- 5411.11 The Board may deny an application for licensure by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

5412 SUPERVISED PRACTICE OF GRADUATE NURSES

- 5412.1 A graduate nurse may practice registered nursing only in accordance with the Act and this chapter.
- 5412.2 An individual may be authorized to engage in the supervised practice of registered nursing, as a graduate nurse, without a District of Columbia license if the individual:
- (a) Graduated from a nursing program pursuant to § 5402.1, or has met the requirements set forth in § 5403;
 - (b) Has never taken the NCLEX-RN exam; and
 - (c) Has an initial application pending for licensure by examination in the District of Columbia.
- 5412.3 A person who has been denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5412.4 Within five (5) business days after the application for licensure by exam has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that his or her application is pending and that he or she is authorized to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Ninety (90) days from the date of issuance; or
 - (b) Upon receipt of written notice from the Board that the application for licensure has been denied, whichever date is the earliest.
- 5412.5 Upon receipt of the practice letter, the graduate nurse shall inform employers of the

date of expiration of the letter and shall immediately cease professional nursing practice on that date or upon receipt of written notice from the Board that the application for licensure has been denied, whichever date is the earliest. The graduate nurse thereafter may practice in a non-professional healthcare occupation, until receipt of a license or issuance of a license number.

- 5412.6 Only a registered nurse licensed under the Act, who is a supervisor, shall be authorized to supervise the practice of registered nursing by a graduate nurse.
- 5412.7 All supervised practice of a graduate nurse shall take place under general or immediate supervision.
- 5412.8 A graduate nurse who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, academic institution, or other health care facility considered appropriate and approved by the Board.
- 5412.9 A graduate nurse shall not be eligible to practice registered nursing in any of the following settings:
- (a) Correctional Facility;
 - (b) Dialysis Center;
 - (c) Home Health Agency;
 - (d) Community Residential Facility;
 - (e) Nursing Staffing Agency;
 - (f) Medical Group Practice;
 - (g) School, (as a school nurse); and
 - (h) Any other setting that does not meet the requirements of § 5412.8.
- 5412.10 A graduate nurse practicing under this section shall not assume administrative or technical responsibility for the operation of a nursing program, unit, service, or institution.
- 5412.11 A graduate nurse shall identify himself or herself as such before engaging in the supervised practice of registered nursing. A graduate nurse shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the graduate nurse student and the position title.

5412.12 A graduate nurse shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.

5412.13 The supervisor shall be fully responsible for the practice by a graduate nurse during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the graduate nurse.

5412.14 The Board may deny an application for licensure by, or take other disciplinary action against, a graduate nurse who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the graduate nurse to practice.

5413 SUPERVISED PRACTICE OF APPLICANTS FOR LICENSURE BY ENDORSEMENT

5413.1 An applicant may practice registered nursing only in accordance with the Act and this chapter.

5413.2 An applicant for licensure by endorsement may be authorized to engage in the supervised practice of registered nursing in the District of Columbia without a District of Columbia license if the applicant:

- (a) Is currently licensed as a registered nurse under the laws of a state or territory of the United States;
- (b) Is a graduate of a program approved in accordance with § 5402.1, or can demonstrate competency in English pursuant to § 5405.3; and
- (c) Has an initial application pending for licensure by endorsement in the District of Columbia.

5413.3 A person who has been denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5413.4 Within five (5) business days after the application for licensure by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance; or

- (b) Upon receipt of written notice from the Board that the application for licensure has been denied, whichever date is the earliest.

5413.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease professional nursing practice in the District on that date or upon receipt of written notice from the Board that the application for licensure has been denied, whichever date is the earliest. The applicant thereafter may practice in a non-professional healthcare occupation, until receipt of a District of Columbia license to practice registered nursing.

5413.6 Only a registered nurse licensed under the Act, who is a supervisor, may be authorized to supervise the practice of registered nursing by an applicant.

5413.7 All supervised practice of an applicant shall take place under general or immediate supervision.

5413.8 An applicant who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, academic institutions; or other health care facility considered appropriate and approved by the Board.

5413.9 An applicant shall not be eligible to practice registered nursing in any of the following settings:

- (a) Correctional Facility;
- (b) Dialysis Center;
- (c) Home Health Agency;
- (d) Community Residential Facility;
- (e) Nursing Staffing Agency;
- (f) Medical Group Practice;
- (g) School, (as a school nurse); and
- (h) Any other setting that does not meet the requirements of § 5413.8.

5413.10 An applicant practicing under this section shall not assume administrative or technical responsibility for the operation of a nursing program, unit, service, or institution.

5413.11 An applicant shall not receive compensation of any nature, directly or indirectly,

from a client or client's family member, except for a salary based on hours worked under supervision.

5413.12 The supervisor shall be fully responsible for the practice by an applicant during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the applicant.

5413.13 The Board may deny an application for licensure by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

5414 SCOPE OF PRACTICE

5414.1 The practice of registered nursing means the performance of acts requiring substantial specialized knowledge, judgment, and skill based upon the principles of the biological, physical, behavioral, and social sciences in the following:

- (a) The observation, comprehensive assessment, evaluation and recording of physiological and behavioral signs and symptoms of health, disease, and injury, including the performance of examinations and testing and their evaluation for the purpose of identifying the needs of the client and family;
- (b) The development of a comprehensive nursing plan that establishes nursing diagnoses, sets goals to meet identified health care needs, and prescribes and implements nursing interventions of a therapeutic, preventive, and restorative nature in response to an assessment of the client's requirements;
- (c) The performance of services, counseling, advocating, and education for the safety, comfort, personal hygiene, and protection of clients, the prevention of disease and injury, and the promotion of health in individuals, families, and communities, which may include psychotherapeutic intervention, referral, and consultation;
- (d) The administration of medications and treatment as prescribed by a legally authorized healthcare professional licensed in the District of Columbia;
- (e) The administration of nursing services including:
 - (1) Delegating and assigning nursing interventions to implement the plan of care;
 - (2) Managing, supervising, and evaluating the practice of nursing;
 - (3) Developing organization-wide client care programs, policies, and procedures that identify the processes to be utilized by nursing personnel to

assess, identify, evaluate, and meet the needs of the clients or population served;

(4) Developing and implementing an organizational plan for providing nursing services;

(5) Implementing an ongoing program to assess, measure, evaluate and improve the quality of nursing care being offered or provided; and

(6) Providing an environment for the maintenance of safe and effective nursing care.

(f) Evaluating responses and outcomes to interventions and the effectiveness of the plan of care;

(g) Promoting a safe and therapeutic environment;

(h) The education and training of person(s) in the direct and indirect nursing care of the client;

(i) Communicating and collaborating with other health care team members and professionals in the development of the plan of care, management of the client's health care, and the implementation of the total health care regimen;

(j) Teaching the theory and practice of nursing;

(k) Acquiring and applying critical new knowledge and technologies to the practice setting; and

(l) The pursuit of nursing research to advance and enhance the practice of nursing.

5414.2 A registered nurse may provide nursing services, which are beyond the basic nursing preparation for a registered nurse, if the registered nurse has the appropriate education, knowledge, competency, and training to safely perform the services.

5414.3 A registered nurse shall wear a pictured identification badge with lettering clearly visible to a client bearing the name of the registered nurse and the title "Registered Nurse" or "R.N.".

5415 DELEGATION OF NURSING INTERVENTIONS

5415.1 Nothing in this section shall be applicable to, restrict, or limit the gratuitous provision of care by self, family, or friends.

5415.2 Only a registered nurse as set forth in the Act and this chapter shall delegate nursing interventions to be performed by trained unlicensed personnel on behalf of the

delegating registered nurse. Such delegation shall be in a manner that does not conflict with the Act, this chapter, or with other District and federal laws and regulations which affect the practice of nursing in the District of Columbia. Nothing in this chapter shall be construed as permitting or authorizing an unlicensed person to perform duties beyond the scope permitted, or which are prohibited, by any other District or federal laws or regulations.

- 5415.3 A supervisor may delegate to a registered nurse the responsibility of directing and assigning nursing interventions to trained unlicensed personnel, once the registered nurse has developed the plan of care and identified those services that can be safely performed by the unlicensed personnel.
- 5415.4 The delegating registered nurse shall be responsible for the adequacy of care provided and shall retain accountability for the nursing task.
- 5415.5 The Administrator for Nursing Services, or supervisor, shall be responsible for establishing policies and procedures for nursing practice. The policies and procedures shall include a mechanism for:
- (a) Identifying those individuals, by position title and job description, to whom nursing interventions may be delegated based on education, training, and competency measurements; and
 - (b) Assisting the delegating registered nurse in verifying the competency of the trained unlicensed personnel prior to assigning nursing interventions.
- 5415.6 If the delegating registered nurse determines that the trained unlicensed personnel cannot safely perform the nursing intervention, the delegating registered nurse shall not delegate the nursing intervention.
- 5415.7 The delegating registered nurse shall assign and delegate in a manner that protects the health, safety, and welfare of the client and others. The nursing tasks delegated shall:
- (a) Be within the area of responsibility of the nurse delegating the act;
 - (b) Be such that, in the judgment of the nurse, it can be properly and safely performed by the unlicensed personnel without jeopardizing the client welfare; and
 - (c) Be a task that a reasonable and prudent nurse would find is within the scope of sound nursing judgment.
- 5415.8 When delegating a nursing intervention the nurse shall:
- (a) Assess and evaluate the client's condition, identify the client's specific goals,

nursing care needs, and required nursing interventions;

- (b) Select and identify nursing interventions which do not require unlicensed trained personnel to exercise critical thinking and independent nursing judgment and which do not require either complex or multi-dimensional application of the nursing process; and
- (c) Select nursing interventions, which frequently recur in the daily care of the client or group of clients, whose results are predictable, whose potential for risk is minimal, and which utilize a standard and unchanging procedure.

5415.9 Trained unlicensed personnel shall practice under general or immediate supervision of a registered nurse.

5415.10 The delegating registered nurse shall be fully responsible for providing supervision to the trained unlicensed personnel. The supervision shall include:

- (a) Instructing the unlicensed personnel in the delegated nursing intervention(s);
- (b) Monitoring the performance of the delegated nursing intervention(s);
- (c) Verifying that the delegated nursing intervention(s) has been implemented; and
- (d) Evaluating the client's response and the outcome of the delegated nursing intervention(s).

5415.11 The delegating registered nurse shall determine the required degree of supervision after an evaluation of appropriate factors including:

- (a) The stability of the client's condition;
- (b) The willingness and ability of the client to be involved in the management of his or her care;
- (c) The training, experience, and competency of the trained unlicensed personnel implementing the nursing intervention; and
- (d) The nature of the nursing intervention.

5415.12 Except as provided in § 5415.13, the delegating nurse responsible for nursing care in the client's residence shall make a supervisory visit to the residence at

least every two (2) weeks to:

- (a) Evaluate the client's health status;
- (b) Evaluate the performance of the delegated nursing acts;
- (c) Determine whether goals are being met; and
- (d) Evaluate the continued competence of the trained unlicensed individual to perform the delegated nursing task.

5415.13 If the trained unlicensed person is providing care limited to activities of daily living in the client's residence, then the delegating nurse shall make supervisory visits to the client's home as the nurse determines necessary for safe, effective nursing care of the client.

5415.14 The following nursing interventions shall not be delegated to trained unlicensed personnel:

- (a) The initial nursing assessment;
- (b) The ongoing comprehensive nursing assessment of the client in any setting;
- (c) Development of the nursing diagnosis;
- (d) Establishment of the nursing care goal;
- (e) Evaluation of the client's progress, or lack of progress toward goal achievement;
- (f) Client counseling and family education, except as it relates to promoting independence in personal care and activities of daily living (ADL's);
- (g) Coordination and management of care including triage, collaborating, consulting, and referring;
- (h) Providing advice to a client or family member; or
- (i) Any nursing task which requires nursing knowledge, judgment, and skill.

5415.15 The delegating registered nurse shall retain full responsibility for medication administration as set forth by the Act.

5415.16 A delegating registered nurse may delegate the intervention of administering medication to trained unlicensed personnel in programs for individuals with mental retardation or other developmental disabilities; public schools; and assisted living

residential facilities as authorized under D.C. Official Code § 21-1203; D.C. Official Code § 38-632; and D.C. Official Code § 44-109.05.

- 5415.17 Unless otherwise authorized under this title, a delegating registered nurse shall not delegate to trained unlicensed personnel any nursing acts or interventions relating to medication administration, including:
- (a) Calculation of a medication dose;
 - (b) Administration of the initial dose of a medication;
 - (c) Administration of a medication by injection route, except for epipen or ejection system as set forth in 17 DCMR § 6111;
 - (d) Administration of medication by intravenous route;
 - (e) Administration of medication used for intermittent positive pressure breathing or other methods involving a mechanical device or equipment for medication inhalation treatment;
 - (f) Administration of medication by way of tube insertion in a cavity of the body; and
 - (g) Administration of investigational drug treatment and blood or blood products.
- 5415.18 Trained unlicensed personnel shall identify himself or herself as such at all times when participating in client care. The individual shall wear a pictured identification badge with lettering clearly visible to the client, bearing the name of the individual and his or her position title. The position title shall not in anyway imply that the individual is licensed or a nurse.
- 5415.19 The delegating registered nurse shall be responsible at all times for all nursing interventions provided by the trained unlicensed personnel to whom it was delegated, and is subject to disciplinary action for any violation of the Act or this chapter in connection with the nursing intervention by the trained unlicensed personnel.

5416 STANDARDS OF CONDUCT

- 5416.1 A registered nurse shall adhere to the standards set forth in the “Code of Ethics for Nurses” as published by the American Nurses Association, as they may be amended or republished from time to time.
- 5416.2 A registered nurse shall respect the client’s right to privacy by protecting confidential information unless obligated or allowed by law to disclose the information.

- 5416.3 A registered nurse shall not accept or perform professional responsibilities which the nurse is not competent to perform.
- 5416.4 A registered nurse shall not, after accepting an assignment or responsibility for a client's care, and without giving adequate notice to the supervisor so that arrangements can be made for continuation of nursing care by others:
- (a) Unilaterally sever the established nurse-client relationship;
 - (b) Leave a client for a length of time, or in a manner, that exposes the client unnecessarily to risk of harm; or
 - (c) Leave a nursing assignment.
- 5416.5 A registered nurse shall know, recognize, and maintain professional boundaries of the nurse-client relationship.
- 5416.6 A registered nurse shall report unsafe nursing practice by a nurse that he or she has reasonable cause to suspect has exposed or is likely to expose a client unnecessarily to risk of harm as a result of failing to provide client care that conforms to the minimum standards of acceptable and prevailing professional practice. The registered nurse shall report such conduct to the appropriate authority within the facility, or to the Board.
- 5416.7 A registered nurse shall provide nursing services, without discrimination, regardless of the age, disability, economic status, gender, national origin, race, religion, or health problems of the client served.

5499 DEFINITIONS

- 5499.1 As used in this chapter, the following terms have the meanings ascribed:

Act -- Health Occupation Revision Act of 1985 ("Act"), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 et seq.).

Administrator for Nursing Services – the licensed registered nurse responsible for planning, directing and controlling the operation of nursing service within an agency, health care facility, or setting in which nursing care is being offered or provided.

Activities of Daily Living (ADL) – the basic tasks of everyday life, such as getting in and out of bed, bathing, dressing, eating, walking, toileting, transferring to and from one's wheelchair, and taking medications prescribed for self-administration.

Agency – any person, firm, corporation, partnership, or other business entity engaged in the business of referring nursing personnel, as employees or independent contractors, to a health care facility for the purpose of rendering temporary nursing services.

Applicant – person applying for a license to practice registered nursing under this chapter.

Board – the Board of Nursing, established by §204 of the Act, D.C. Official Code § 3-1202.04.

Complex Interventions – those interventions that require nursing judgment to safely alter standard procedures in accordance with the needs of the client; require nursing judgment to determine how to proceed from one step to the next, or require implementation of the nursing process.

Delegation – the transference from the registered nurse to another individual within the scope of his or her practice, the authority to act on behalf of the registered nurse in the performance of a nursing intervention, while the registered nurse retains the accountability and responsibility for the delegated act.

Educational Program – a program accredited by a recognized nursing body approved by the Board that leads to a diploma, associate degree, or baccalaureate degree in nursing.

General Supervision -- supervision in which the supervisor is available on the premises or within vocal communication either directly or by a communication device at the time the unlicensed personnel, student, graduate nurse, or other licensed nurse is practicing.

Graduate Nurse -- an individual who has graduated from a nursing program for registered nursing, who has never taken the NCLEX-RN exam, and whose application for a license by examination in the District of Columbia is pending.

Health Professional – a person who holds a license, certificate, or registration issued under the authority of this title or the Act.

Immediate Supervision-- supervision in which the supervisor is with the unlicensed personnel, student, graduate nurse, or other licensed nurse and either discussing or observing the person's practice.

NCLEX-RN-- National Council Licensure Examination for Registered Nurses.

Nursing Intervention - the initiation and completion of a client focused

action necessary to accomplish the goal(s) defined in the client-centered plan of care.

Practical Nurse – a person licensed to practice practical nursing under the Act and chapter 55 of this title.

Re-entry program-- a formal program of study with both didactic and clinical components, designed to prepare a nurse who has been out of practice to re-enter into nursing practice at the registered nurse level.

Registered Nurse – a person licensed to practice registered nursing under the Act and this chapter.

Remedial Course -- an organized and planned program of study which provides a review of basic preparation and current developments in the practice of registered nursing.

Review Course -- a course of study providing review of basic preparation for the NCLEX-RN examination.

Supervisor-- a registered nurse licensed under the Act who is responsible and accountable for assigning, directing, evaluating and managing a unit, service, or program that offers or provides nursing care or who is responsible for the supervision of trained unlicensed personnel, students, graduate nurses, or other licensed nurses.

Trained Unlicensed Personnel –an individual, other than a licensed nurse, who has received appropriate training or instruction to function in a complementary or assistant role to a licensed nurse in providing direct patient care or in carrying out common nursing tasks. The term includes, but is not limited to, nurses' aides, orderlies, assistant technicians, attendants, home health aides, personal care aides, trained medication employees, geriatric aides, or other health aides.

5499.2 The definitions in § 4099 of Chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

CHAPTER 57 CERTIFIED REGISTERED NURSE-ANESTHETISTS

Secs.	
5700	Applicability
5701	General Requirement
5702	Term of Certificate
5703	Renewal of Certificate
5704	Educational Requirements
5705	National Examination
5706	Certification By Endorsement
5707	Standards of Conduct
5708	Scope of Practice
5709	Prescriptive Authority
5710	Prescribing Controlled Substances
5711	[Repealed]
5712	Use of Titles or Abbreviations
5713	Practice of a Certified Nurse-Anesthetist In Health Care Facilities Requiring A Formal Evaluation
5714	Supervised Practice of Students
5715	Supervised Practice of Graduates
5716	Supervised Practice of Applicants for Certification By Endorsement
5799	Definitions

5700 APPLICABILITY

- 5700.1 This chapter shall apply to applicants for and holders of a certificate to practice nurse-anesthesia.
- 5700.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 54 (Registered Nursing) of this title shall supplement this chapter.

5701 GENERAL REQUIREMENT

- 5701.1 Only a person currently licensed as a registered nurse under chapter 54 of this title shall be eligible to apply for a certificate to practice nurse-anesthesia under this chapter

5702 TERM OF CERTIFICATE

- 5702.1 Subject to § 5702.2, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the certificate, or other date established by the Director.
- 5702.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the certificate, or other date established by the Director.

5703 RENEWAL OF CERTIFICATE

- 5703.1 A holder of a certificate to practice as a certified registered nurse-anesthetist shall renew his or her certificate by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the certificate.
- 5703.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the certificate expires.
- 5703.3 A certificate holder shall have the burden of notifying the Board if a renewal notice is not received.
- 5703.4 A certificate holder shall notify the Board in writing of a change of home or business address within thirty (30) days after the change.
- 5703.5 A certificate holder applying for renewal of a certificate to practice nurse-anesthesia shall:
- (a) Maintain current licensure as a registered nurse in the District of Columbia;
 - (b) Submit evidence of current national certification or recertification, as applicable, by the Council on Certification of Nurse Anesthetists (CCNA) or Council on Recertification of Nurse Anesthetists (CRNA) or other national certifying body approved by the Board; and
 - (c) Beginning with the 2006 renewal period, submit proof of completion of fifteen (15) contact hours of continuing education, which shall include a pharmacology component. A continuing education program, course, seminar, or workshop shall be approved by the American Association of Nurse Anesthetists (AANA) or other nationally certifying organization recognized by the Board and shall be related to the certificate holder's specialty. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.
- 5703.6 A certificate holder shall submit a verification form of completion, for each program, course, seminar, or workshop for which continuing education is claimed.
- 5703.7 A certificate holder applying for renewal of a certificate who fails to submit proof of having completed the requirements as set forth in § 5703.5 by the date the certificate expires may renew the certificate within sixty (60) days after the expiration by submitting the required documents and paying the required late fees.

5703.8 Upon submitting the required documents and paying the required late fees, the certificate holder shall be deemed to have possessed a valid certificate during the period between the expiration of the certificate and the submission of the required documents and fees.

5703.9 If a certificate holder applying for renewal of a certificate fails to submit proof of completion of the requirements as set forth in § 5703.5 or pay the late fee within sixty (60) days after the expiration of the certificate holder's certificate, the certificate shall be considered to have lapsed on the date of expiration and the certificate holder shall thereafter be required to apply for reinstatement of an expired certificate and meet all requirements and fees for reinstatement.

5703.10 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the certificate after expiration, if the certificate holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:

- (a) Serious and protracted illness of the certificate holder; and
- (b) The death or serious and protracted illness of a member of the certificate holder's immediate family.

5704 EDUCATIONAL REQUIREMENTS

5704.1 An applicant for a license to practice as a certified registered nurse-anesthetist shall furnish proof satisfactory to the Board, in accordance with section § 608(a) of the Act, D.C. Official Code § 3-1206.08(a), that the applicant has successfully completed a post-basic nursing education program accredited by the Council on Accreditation of Nurse Anesthesia Education Programs or any other nationally recognized accrediting body as deemed appropriate by the Board and indicated through rulemaking.

5704.2 [REPEALED]

5705 NATIONAL EXAMINATION

5705.1 In addition to the requirements in § 5701 and § 5704, to qualify for a certificate to practice as a certified registered nurse-anesthetist in the District of Columbia, an applicant shall receive a passing score on the national certification examination by the Council on Certification of Nurse Anesthetists or any other nationally recognized certifying body accepted by the Board.

- 5705.2 An applicant shall submit proof of having obtained a passing score on the examination by arranging to have official written verification of the certification, or a certified, notarized copy of the examination results, sent directly to the Board.
- 5705.3 A national certification program acceptable to the Board shall provide:
- (a) A scope of practice statement that reflects the standards of specialized and advanced nursing practice in the area of certification;
 - (b) An approval process for the formal programs of study in the area of certification which shall:
 - (1) Be based on measurable objectives that relate directly to the scope of practice;
 - (2) Include theoretical and clinical content directed to the objectives; and
 - (3) Be equivalent to at least one academic year preceptorship which is part of the formal program and shall be included as part of the academic year. Current practice in the area of certification will not be accepted as a substitute for the formal program of study.
 - (c) An examination in the area of certification shall:
 - (1) Measure the theoretical and clinical content denoted in the scope of practice;
 - (2) Be developed in accordance with generally accepted standards of validity and reliability; and
 - (3) Be open only to registered nurses who have successfully completed the program of study referred to in paragraph (b) of this subsection.
 - (d) A certification maintenance program.
- 5705.4 The passing score on the certification examination shall be the passing score established by the certifying body administering the examination.
- 5705.5 The Board shall issue and update a list of nationally recognized certifying bodies accepted by the Board.
- 5705.6 Failure to maintain recertification as a certified registered nurse-anesthetist shall result in the loss of status as a licensed nurse-anesthetist.

5706 CERTIFICATION BY ENDORSEMENT

5706.1 An applicant is eligible for certification by endorsement if the applicant is currently licensed or certified, in good standing, as a registered nurse anesthetist under the laws of a state or territory of the United States.

5706.2 To apply for certification by endorsement, an applicant shall:

- (a) Submit a completed application on the forms required by the Board;
- (b) Submit a copy of his or her current license or certificate as a certified-registered nurse anesthetist with the application;
- (c) Obtain licensure or certification verification from the current state or territory of licensure or certification, that the license or certificate is current and in good standing. The verification form must be sent directly to the Board by the verifying Board;
- (d) Meet any other requirements as set forth by the Board; and
- (e) Pay all required fees.

5706.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.

5706.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.

5707 STANDARDS OF CONDUCT

5707.1 A certified-registered nurse anesthetist shall adhere to the standards set forth in the American Association of Nurse Anesthetists' (AANA) "Code of Ethics," as they may be amended or republished from time to time.

5708 SCOPE OF PRACTICE

5708.1 In addition to the general functions specified in § 5700, a nurse-anesthetist may perform all of the functions listed below, to include:

- (a) Determining the health status of the patient as it relates to the relative risks associated with the anesthetic management of the patient;

- (b) Based on history, physical assessment, and supplemental laboratory results, determining appropriate type of anesthesia;
- (c) Ordering pre-anesthetic medication;
- (d) Performing procedures commonly used to render the patient insensible to pain during the performance of surgical, obstetrical, therapeutic, or diagnostic clinical procedures. This shall include ordering and administering;
 - (1) General and regional anesthesia;
 - (2) Inhalation agents and techniques;
 - (3) Intravenous agents and techniques; and
 - (4) Techniques of hypnosis;
- (e) Order or perform monitoring procedures indicated as pertinent to the anesthetic health care management of the patient;
- (f) Support life functions during anesthesia health care, including inductions and intubation procedures, the use of appropriate mechanical supportive devices, and the management of fluid, electrolyte, and blood component balances;
- (g) Recognize and take appropriate corrective action for abnormal patient responses to anesthesia, adjunctive medication, or other forms of therapy;
- (h) Recognize and treat cardiac arrhythmia while the patient is under anesthetic care;
- (i) Management of the patient while in the post-anesthesia recovery phase, including post-anesthesia evaluation of the patient, ordering the administration of fluids and drugs, discharging of the patient;
- (j) Place peripheral and central venous and arterial lines for blood sampling and monitoring as appropriate; and
- (k) Such other functions and services the Board deems appropriate upon review and analysis of professional and association literature which articulates scopes and standards for nurse-anesthetist practice.

5708.2 The scope of practice of nurse-anesthetists shall be that practice established by the AANA.

5709 PRESCRIPTIVE AUTHORITY

- 5709.1 A nurse-anesthetist shall have authority to prescribe legend drugs and controlled substances subject to the limitations set forth in § 5710.
- 5709.2 A nurse-anesthetist shall have authority to prescribe drugs only while certified in accordance with this chapter.
- 5709.3 Prescriptions for drugs shall comply with all applicable District and federal laws.
- 5709.4 A nurse-anesthetist who administers or prescribes a prescription drug shall enter in the patient's chart on the date of the transaction, or if the chart is not available, no later than the next office day, the following information:
- (a) Each prescription that a nurse-anesthetist orders; and
 - (b) The name, strength, and amount of each drug that a nurse-anesthetist administers.
- 5709.5 Pursuant to § 514 of the Act, D.C. Official Code § 3-1205.14(a)(19), the Board may suspend or revoke the license or certification of, or take other disciplinary action against, any applicant or licensee who prescribes, dispenses, or administers drugs when not authorized to do so.

5710 PRESCRIBING CONTROLLED SUBSTANCES

- 5710.1 A nurse-anesthetist shall have authority to prescribe those drugs in Schedules II through V, established pursuant to the District of Columbia Uniform Controlled substances Act of 1981, D.C. Law 4-29, Code §§ 48-901.02 *et seq.*
- 5710.2 A nurse-anesthetist shall not prescribe a controlled substance unless a nurse-anesthetist meets the following requirements:
- (a) Possesses a valid controlled substance certificate of registration from the United States Drug Enforcement Administration (DEA); and
 - (b) Possesses a valid District of Columbia controlled substances registration pursuant to D.C. Code §§ 32-501 *et seq.* (1981), the District of Columbia Uniform Controlled Substances Act.
- 5710.3 A nurse-anesthetist shall not issue a refillable prescription for a controlled substance.
- 5710.4 A nurse-anesthetist shall maintain a current and complete log of all controlled substances that the nurse-anesthetist prescribes, in accordance with regulations for record keeping promulgated by the United States Drug Enforcement Administration.

5711 **[REPEALED]**

5712 **USE OF TITLES OR ABBREVIATIONS**

5712.1 Only persons certified as registered nurse-anesthetists by the Board shall be designated as such and have the right to use the title “Certified Registered Nurse Anesthetist” or “CRNA” or any other title or abbreviation designated by the Board or the approved national certifying body. No other person shall use any other title, words, letters, signs, or figures to indicate that the person using the name is recognized as a certified registered nurse-anesthetist.

5713 **PRACTICE OF A CERTIFIED NURSE-ANESTHETIST IN HEALTH CARE FACILITIES REQUIRING A FORMAL EVALUATION**

5713.1 An APRN shall be evaluated by another APRN licensed to practice in the same specialty area.

5714 **SUPERVISED PRACTICE OF STUDENTS**

5714.1 A student may practice nurse-anesthesia only in accordance with the Act and this chapter.

5714.2 A student fulfilling education requirements for certification and practicing within the limitations set forth in § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), may be authorized to engage in the supervised practice of nurse-anesthesia without a District of Columbia certificate.

5714.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5714.4 Only a registered nurse anesthetist certified under the Act, who is an appointed faculty member of the accredited school or college, or a preceptor meeting the requirements set forth in chapter 56 of this Title, shall be authorized to supervise the practice of nurse-anesthesia by a student.

5714.5 A student who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.

- 5714.6 All supervised practice of a student shall take place under general or immediate supervision.
- 5714.7 A student practicing under this section shall not assume administrative or technical responsibility for the operation of a nurse-anesthesiology program, unit, service, or institution.
- 5714.8 A student shall identify himself or herself as such before practicing as a registered nurse anesthetist. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.
- 5714.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.
- 5714.10 The supervisor or preceptor, as applicable, shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.
- 5714.11 The Board may deny an application for certification by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

5715 SUPERVISED PRACTICE OF GRADUATES

- 5715.1 A graduate may practice nurse-anesthesia only in accordance with the Act and this chapter.
- 5715.2 An individual may be authorized to engage in the supervised practice of nurse-anesthesia, as a graduate registered nurse-anesthetist, without a District of Columbia certificate if the individual:
- (a) Graduated from a post-basic nursing education program in nurse anesthesia approved by the Council on Accreditation of Nurse Anesthesia Education Programs (COA) or other certifying body approved by the board;
 - (b) Is awaiting the results of the certification examination given by the CCNA or other certifying body approved by the board; and
 - (c) Has an initial application pending for certification to practice nurse-anesthesia in the District of Columbia.

- 5715.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5715.4 Within five (5) business days after the application for certification has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that his or her application is pending and that he or she is authorized to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Six (6) months from the date of issuance;
 - (b) Upon receipt of written notice to the applicant of denial of certification by CCNA;
 - (c) Upon receipt of notice to the applicant that the applicant has failed the certification examination; or
 - (d) Upon receipt of written notice to the applicant from the Board that the application for certification has been denied, whichever date is the earliest.
- 5715.5 Upon receipt of the practice letter, the graduate shall inform employers of the date of expiration of the letter and shall immediately cease the practice of nurse anesthesia on that date or upon receipt of written notice as set forth in § 5715.4, whichever date is the earliest. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice nurse anesthesia in the District.
- 5715.6 The graduate shall immediately notify the Board and the graduate's supervisor of the results of the certification examination.
- 5715.7 Only a registered nurse anesthetist certified under the Act, who is a supervisor, shall be authorized to supervise the practice of nurse-anesthesia by a graduate.
- 5715.8 A supervisor shall not supervise more than two (2) graduates at one time.
- 5715.9 All supervised practice of a graduate shall take place under general or immediate supervision.
- 5715.10 A graduate who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate

and approved by the Board.

5715.11 A graduate practicing under this section shall not assume administrative or technical responsibility for the operation of a nurse-anesthesiology program, unit, service, or institution.

5715.12 A graduate shall identify himself or herself as such before practicing as a registered nurse anesthetist. A graduate shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the graduate and the position title.

5715.13 A graduate shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.

5715.14 The supervisor shall be fully responsible for the practice by a graduate during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the graduate.

5715.15 The Board may deny an application for certification by, or take other disciplinary action against, a graduate who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the graduate to practice.

5716 SUPERVISED PRACTICE OF APPLICANTS FOR CERTIFICATION BY ENDORSEMENT

5716.1 An applicant may practice nurse-anesthesia only in accordance with the Act and this chapter.

5716.2 An applicant for certification by endorsement shall be authorized to engage in the supervised practice of nurse anesthesia in the District of Columbia without a District of Columbia certificate if the applicant:

- (a) Is currently certified by the Council on Certification of Nurse Anesthesia or a certifying body approved by the Board;
- (b) Is currently licensed, in good standing, under the laws of a state or territory of the United States; and
- (c) Has an initial application pending for certification by endorsement to practice nurse-anesthesia in the District of Columbia.

5716.3 A person who has been denied a certificate, denied a license, disciplined,

convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

- 5716.4 Within five (5) business days after the application for certification by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Ninety (90) days from the date of issuance; or
 - (b) Upon receipt of written notice from the Board that the application for certification has been denied, whichever date is the earliest.
- 5716.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease the practice of nurse anesthesia on that date or upon receipt of the written notice as set forth in § 5716.4. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice nurse anesthesia in the District.
- 5716.6 Only a registered nurse anesthetist certified under the Act, who is a supervisor, shall be authorized to supervise the practice of nurse-anesthesia by an applicant.
- 5716.7 A supervisor shall not supervise more than two (2) applicants at one time.
- 5716.8 All supervised practice of an applicant shall take place under general or immediate supervision.
- 5716.9 An applicant who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 5716.10 An applicant practicing under this section shall not assume administrative or technical responsibility for the operation of a nurse-anesthesiology program, unit, service, or institution.
- 5716.11 An applicant shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 5716.12 The supervisor shall be fully responsible for the practice by an applicant

during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the applicant.

- 5716.13 The Board may deny an application for a certificate by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

5799 DEFINITIONS

- 5799.1 For purposes of this chapter, the following terms have the meanings ascribed:

Act— Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 et seq.).

Applicant: a person applying for a certificate to practice as a certified registered nurse-anesthetist under this chapter.

Board : the Board of Nursing, established by § 204 of the Act, D.C. Official Code § 3-1202.04.

Certificate: a certificate to practice as a nurse-anesthetist under this chapter.

Certified registered nurse-anesthetist: a registered nurse trained in an educational program to provide anesthesia services, assume primary responsibility for the care of patients, exercise independent judgment, and interact collaboratively with other health care professionals.

Clinical practice: the routine application of the principles of nurse-anesthesia to the diagnosis and treatment of disease and the maintenance of health.

Graduate— an individual who has graduated from a post-basic nursing education program for nurse anesthesia.

License: a license to practice as a nurse-anesthetist under this chapter.

Nationally recognized certifying body: one that offers a national certification examination in the specialty area of advanced nursing practice, utilizes standards and principles of the American Board of Nursing Specialties (ABNS), and provides a mechanism for evaluating continued competency in the specialty area of nursing practice.

Supervisor: a licensed nurse-anesthetist who is responsible for the supervision of a student, graduate, or applicant.

5799.2 The definition in § 4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

CHAPTER 58 NURSE-MIDWIVES

Secs.	
5800	Applicability
5801	General Requirement
5802	Term of Certificate
5803	Renewal of Certificate
5804	Educational and Experience Requirements
5805	National Examination
5806	Certification By Endorsement
5807	Standards of Conduct
5808	Scope of Practice
5809	Prescriptive Authority
5810	Prescribing Controlled Substances
5811	[Repealed]
5812	Use of Titles or Abbreviations
5813	Practice Of A Certified Registered Nurse-Midwife In Health Care Facilities Requiring A Formal Evaluation
5814	Supervised Practice of Students
5815	Supervised Practice of Graduates
5816	Supervised Practice of Applicants for Certification By Endorsement
5899	Definitions

5800 APPLICABILITY

- 5800.1 A certified nurse-midwife is a registered nurse prepared in a formal educational program to assume an expanded role in providing health care in the area of nurse-midwifery services. Certified nurse-midwives, when functioning within the authorized scope of practice, are qualified to assume primary responsibility for the care of their patients. This practice incorporates the use of independent judgment as well as collaborative interaction with physicians or osteopaths.
- 5800.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 54 (Registered Nursing) of this title shall supplement this chapter.

5801 GENERAL REQUIREMENT

- 5801.1 Only a person currently licensed as a registered nurse under chapter 54 of this title shall be eligible to apply for a certificate to practice nurse-midwifery under this chapter.

5802 TERM OF CERTIFICATE

- 5802.1 Subject to § 5802.2, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each even-numbered year.
- 5802.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a certificate issued pursuant to this chapter shall expire at 12:00

midnight of the last day of the month of the birthdate of the holder of the certificate, or other date established by the Director.

5803 RENEWAL OF CERTIFICATE

- 5803.1 A holder of a certificate to practice as a certified nurse-midwife shall renew his or her certificate by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the certificate.
- 5803.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the certificate expires.
- 5803.3 A certificate holder shall have the burden of notifying the Board if a renewal notice is not received.
- 5803.4 A certificate holder shall notify the Board in writing of a change in home or business address within thirty (30) days after the change.
- 5803.5 A certificate holder applying for renewal of a certificate to practice nurse-midwifery shall:
- (a) Maintain current licensure as a registered nurse in the District of Columbia;
 - (b) Submit evidence of current national certification or recertification as applicable by the American College of Nurse-Midwives Certifying Council, Inc. (ACNM) or other national certifying body approved by the Board; and
 - (c) Beginning with the 2006 renewal period, submit proof of completion of fifteen (15) contact hours of continuing education, which shall include a pharmacology component. A continuing education program, course, seminar, or workshop shall be approved by the ACNM or other nationally certifying organization recognized by the Board and shall be related to the certificate holder's specialty. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.
- 5803.6 A certificate holder shall submit a verification form of completion, for each program, course, seminar, or workshop for which continuing education is claimed.
- 5803.7 A certificate holder applying for renewal of a certificate who fails to submit proof of having completed the requirements as set forth in § 5803.5 by the date the certificate expires may renew the certificate within sixty

(60) days after the expiration by submitting the required documents and paying the required late fees.

5803.8 Upon submitting the required documents and paying the required late fees, the certificate holder shall be deemed to have possessed a valid certificate during the period between the expiration of the certificate and the submission of the required documents and fees.

5803.9 If a certificate holder applying for renewal of a certificate fails to submit proof of completion of the requirements as set forth in § 5803.5 or pay the late fee within sixty (60) days after expiration of the certificate holder's certificate, the certificate shall be considered to have lapsed on the date of expiration and the certificate holder shall thereafter be required to apply for reinstatement of an expired certificate and meet all requirements and fees for reinstatement.

5803.10 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the certificate after expiration, if the certificate holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:

(a) Serious and protracted illness of the certificate holder; and

(b) The death or serious and protracted illness of a member of the certificate holder's immediate family.

5804 EDUCATIONAL AND EXPERIENCE REQUIREMENTS

5804.1 An applicant for a certificate to practice as a certified nurse-midwife shall furnish proof satisfactory to the Board, in accordance with § 608(b) of the Act, D.C. Official Code § 3-1206.08(b), that the applicant has successfully completed a post-basic nursing education program accredited by the American College of Nurse Midwives (ACNM) or a nationally recognized accrediting body accepted by the Board.

5804.2 [REPEALED]

5804.3 [REPEALED]

5805 NATIONAL EXAMINATION

5805.1 In addition to the requirements in § 5801 and § 5804, to qualify for a certificate to practice as a certified nurse-midwife in the District of Columbia, an applicant shall receive a passing score on the national certification examination by the ACNM or any other nationally recognized certifying body accepted by the Board.

- 5805.2 An applicant shall submit proof of having obtained a passing score on the examination by arranging to have official written verification of the certification, or a certified, notarized copy of the examination results, sent directly to the Board.
- 5805.3 A national certification program acceptable to the Board shall provide:
- (a) Scope of practice statement that reflects the standards of specialized and advanced nursing practice in the area of certification;
 - (b) An approval process for the formal programs of study in the area of certification which shall:
 - (1) Be based on measurable objectives that relate directly to the scope of practice;
 - (2) Include theoretical and clinical content directed to objectives; and
 - (3) Be equivalent to at least one academic year preceptorship which is part of the formal program and shall be included as part of the academic year. Current practice in the area of certification will not be accepted as a substitute for the formal program of study.
 - (c) An examination in the area of certification which shall:
 - (1) Measure the theoretical and clinical content denoted in the scope of practice;
 - (2) Be developed in accordance with generally accepted standards of validity and reliability; and
 - (3) Be open only to registered nurses who have successfully completed the program of study referred to in paragraph (b) of this subsection.
 - (d) A certification maintenance program.
- 5805.4 The passing score on the certification examination shall be the passing score established by the certifying body administering the examination.
- 5805.5 The Board shall issue and update a list of nationally recognized certifying bodies accepted by the Board.
- 5805.6 Failure to maintain recertification as a certified registered nurse-midwife shall result in the loss of status as a certified nurse-midwife.

5806 CERTIFICATION BY ENDORSEMENT

- 5806.1 An applicant is eligible for certification by endorsement if the applicant is currently licensed or certified, in good standing, as a nurse-midwife under the laws of a state or territory of the United States.
- 5806.2 To apply for certification by endorsement, an applicant shall:
- (a) Submit a completed application on the forms required by the Board;
 - (b) Submit a copy of his or her current license or certificate as a certified nurse-midwife with the application;
 - (c) Obtain licensure or certification verification from the current state or territory of licensure or certification, that the license or certificate is current and in good standing. The verification form must be sent directly to the Board by the verifying Board;
 - (d) Meet any other requirements as set forth by the Board; and
 - (e) Pay all required fees.
- 5806.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.
- 5806.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.

5807 STANDARDS OF CONDUCT

- 5807.1 A certified nurse-midwife shall adhere to the standards set forth in the American College of Nurse Midwives' "Code of Ethics" as they may be amended or republished from time to time.

5808 SCOPE OF PRACTICE

- 5808.1 In addition to the general function specified in D.C. Official Code § 3-1206.04 the nurse-midwife may perform any of the acts listed below, including:
- (a) Manage the care of the normal obstetrical patient;
 - (b) Perform minor surgical procedure;

- (c) Manage the normal obstetrical patient during labor and delivery to include amniotomy, episiotomy, and repair;
- (d) Initiate and perform local anesthetic procedures and order the necessary anesthetic agents to perform the procedures;
- (e) Manage care of the newborn;
- (f) Perform post-partum examination;
- (g) Provide gynecological care for women;
- (h) Prescribe appropriate medications;
- (i) Provide family planning and STD services;
- (j) Provide primary health care; and
- (k) Such other functions and services the Board deems appropriate upon review and analysis of professional and association literature which articulates scopes and standards for nurse-midwifery practice.

5808.2 [REPEALED]

5808.3 [REPEALED]

5808.4 [REPEALED]

5808.5 A nurse-midwife may not perform a cesarean section or surgical abortion.

5808.6 For purposes of this section, “normal patient” means a healthy individual who meets the criteria established in practice protocols as normal.

5809 PRESCRIPTIVE AUTHORITY

5809.1 A certified nurse-midwife shall have authority to prescribe legend drugs and controlled substances subject to the limitations set forth in § 5810.

5809.2 A certified nurse-midwife shall have authority to prescribe drugs only while licensed in accordance with this chapter.

5809.3 Prescriptions for drugs shall comply with all applicable District of Columbia and federal laws.

5809.4 A certified nurse-midwife who administers or prescribes a prescription drug shall enter into the patient's chart on the date of the transaction or, if the chart is not available, within a reasonable time but no later than the next office day the following information:

- (a) Each prescription that a certified nurse-midwife orders; and
- (b) The name, strength, and amount of each drug that a certified nurse-midwife prescribes and/or dispenses.

5809.5 Pursuant to § 514 of the Act, D.C. Official Code § 3-1205.14(a)(19) (2001), the Board may suspend or revoke the license or certification of, or take other disciplinary action against any applicant or licensee who prescribes, dispenses, or administers drugs when not authorized to do so.

5810 PRESCRIBING CONTROLLED SUBSTANCES

5810.1 A certified nurse-midwife shall have authority to prescribe those drugs in Schedules II through V, established pursuant to the District of Columbia Uniform Controlled Substances Act of 1981, D.C. Law 4-29, D.C. Code §§ 48-901.02 *et seq.*

5810.2 A certified nurse-midwife shall not prescribe a controlled substance unless a certified nurse-midwife meets the following requirements:

- (a) Possesses a valid controlled substances certificate of registration from the United States Drug Enforcement Administration (DEA); and
- (b) Possesses a valid District of Columbia controlled substances registration pursuant to D.C. Official Code §§ 48-901.02 *et seq.*, the District of Columbia Uniform Controlled Substances Act.

5810.3 A certified nurse-midwife shall not issue a refillable prescription for a controlled substance.

5810.4 A certified nurse-midwife shall maintain a current and complete log of all controlled substances that the nurse-midwife prescribes, in accordance with regulations for record keeping promulgated by the United States Drug Enforcement Administration.

5811 [REPEALED]

5812 USE OF TITLES OR ABBREVIATIONS

5812.1 Only persons certified, as certified nurse-midwives by the Board shall be designated as such and have the right to use the title “Certified Nurse-Midwife” (CNM) and the title or abbreviations designated by the Board or an approved national certifying body.

5813 PRACTICE OF A CERTIFIED REGISTERED NURSE-MIDWIFE IN HEALTH CARE FACILITIES REQUIRING A FORMAL EVALUATION

5813.1 An APRN shall be evaluated by another APRN licensed to practice in the same specialty area.

5814 SUPERVISED PRACTICE OF STUDENTS

5814.1 A student may practice nurse-midwifery only in accordance with the Act and this chapter.

5814.2 A student fulfilling education requirements for certification and practicing within the limitations set forth in § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), may be authorized to engage in the supervised practice of nurse-midwifery without a District of Columbia certificate.

5814.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5814.4 Only a nurse-midwife certified under the Act, who is an appointed faculty member of the accredited school or college, or a preceptor meeting the requirements set forth in chapter 56 of this Title, shall be authorized to supervise the practice of nurse-midwifery by a student.

5814.5 A student who practices pursuant to this section shall only practice at a hospital, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.

5814.6 All supervised practice of a student shall take place under general or immediate supervision.

5814.7 A student practicing under this section shall not assume administrative or technical responsibility for the operation of a nurse-midwifery program, unit, service, or institution.

- 5814.8 A student shall identify himself or herself as such before practicing as a student nurse-midwife. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.
- 5814.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.
- 5814.10 The supervisor or preceptor, as applicable, shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.
- 5814.11 The Board may deny an application for certification by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

5815 SUPERVISED PRACTICE OF GRADUATES

- 5815.1 A graduate may practice nurse-midwifery only in accordance with the Act and this chapter.
- 5815.2 An individual shall be authorized to engage in the supervised practice of nurse-midwifery, as a graduate nurse-midwife, without a District of Columbia certificate if the individual:
- (a) Graduated from a post-basic nursing education program in nurse-midwifery approved by the ACNM or other certifying body approved by the board;
 - (b) Is awaiting the results of the certification examination given by the ACNM or other certifying body approved by the board; and
 - (c) Has an initial application pending for certification to practice nurse-midwifery in the District of Columbia.
- 5815.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5815.4 Within five (5) business days after the application for certification has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that

his or her application is pending and that he or she is authorize to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance;
- (b) Upon receipt of written notice to the applicant of denial of certification;
- (c) Upon receipt of notice to the applicant that the applicant has failed the certification examination; or
- (d) Upon receipt of written notice to the applicant from the Board that the application for certification has been denied, whichever date is the earliest.

5815.5 Upon receipt of the practice letter, the graduate shall inform employers of the date of expiration of the letter and shall immediately cease the practice of nurse-midwifery on that date or upon receipt of written notice as set forth in § 5815.4, whichever date is the earliest. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice nurse-midwifery in the District.

5815.6 The graduate shall immediately notify the Board and the graduate's supervisor of the results of the certification examination.

5815.7 Only a nurse-midwife certified under the Act, who is a supervisor, shall be authorized to supervise the practice of nurse-midwifery by a graduate.

5815.8 A supervisor shall not supervise more than two (2) graduates at one time.

5815.9 All supervised practice of a graduate shall take place under general or immediate supervision.

5815.10 A graduate who practices pursuant to this section shall only practice at a hospital, a health facility operated by the District or federal government, or other health care facility considered appropriate and approved by the Board.

5815.11 A graduate practicing under this section shall not assume administrative or technical responsibility for the operation of a nurse-midwifery program, unit, service, or institution.

5815.12 A graduate shall identify himself or herself as such before practicing as a nurse-midwife. A graduate shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the graduate and the position title.

- 5815.13 A graduate shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 5815.14 The supervisor shall be fully responsible for the practice by a graduate during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the graduate.
- 5815.15 The Board may deny an application for certification by, or take other disciplinary action against, a graduate who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the graduate to practice.

5816 SUPERVISED PRACTICE OF APPLICANTS FOR CERTIFICATION BY ENDORSEMENT

- 5816.1 An applicant may practice nurse-midwifery only in accordance with the Act and this chapter.
- 5816.2 An applicant for certification by endorsement shall be authorized to engage in the supervised practice of nurse-midwifery in the District of Columbia without a District of Columbia certificate if the applicant:
- (a) Is currently certified by the ACNM or a certifying body approved by the Board;
 - (b) Is currently licensed, in good standing, under the laws of a state or territory of the United States; and
 - (c) Has an initial application pending for certification by endorsement to practice nurse-midwifery in the District of Columbia.
- 5816.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5816.4 Within five (5) business days after the application for certification by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance; or
- (b) Upon receipt of written notice from the Board that the application for certification has been denied, whichever date is the earliest.

- 5816.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease the practice of nurse-midwifery on that date or upon receipt of written notice as set forth in § 5816.4, whichever date is the earliest. The applicant thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice nurse-midwifery in the District.
- 5816.6 Only a nurse-midwife certified under the Act, who is a supervisor, shall be authorized to supervise the practice of nurse-midwifery by an applicant.
- 5816.7 A supervisor shall not supervise more than two (2) applicants at one time.
- 5816.8 All supervised practice of an applicant shall take place under general or immediate supervision.
- 5816.9 An applicant who practices pursuant to this section shall only practice at a hospital, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 5816.10 An applicant under this section shall not assume administrative or technical responsibility for the operation of a nurse-midwifery program, unit, service, or institution.
- 5816.11 An applicant shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 5816.12 The supervisor shall be fully responsible for the practice by an applicant during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the applicant.
- 5816.13 The Board may deny an application for a certificate by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

5899

DEFINITIONS

5899.1 For purposes of this chapter, the following terms have the meanings ascribed:

Act— Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 et seq.).

Applicant: a person applying for a license to practice as a certified nurse-practitioner under this chapter.

Board: the Board of Nursing, established by § 204 of the Act, D.C. Official Code § 3-1202.04.

Certificate: a certificate to practice as a nurse-midwife under this chapter.

Certified nurse-midwife: a registered nurse trained in an educational program to provide nurse-midwifery services, exercise independent judgment, and assume primary responsibility for the care of patients.

Clinical practice: the routine application of the principles of nurse-midwifery to the diagnosis and treatment of disease and maintenance of health.

Graduate— an individual who has graduated from a post-basic nursing education program for nurse midwifery.

Supervisor: means a certified nurse-midwife who is responsible for the supervision of a student, graduate, or applicant.

CHAPTER 59 NURSE-PRACTITIONERS

Secs.	
5900	Applicability
5901	General Requirements
5902	Term of Certificate
5903	Renewal of Certificate
5904	Educational Requirements
5905	National Examination
5906	Certification By Endorsement
5907	Standards of Conduct
5908	Scope of Practice
5909	Prescriptive Authority
5910	Prescribing Controlled Substances
5911	[Repealed]
5912	Use of Titles or Abbreviations
5913	Practice Of A Certified Registered Nurse-Practitioner In Health Care Facilities Requiring A Formal Evaluation
5914	Supervised Practice of Students
5915	Supervised Practice of Graduates
5916	Supervised Practice of Applicants for Certification By Endorsement
5999	Definitions

5900 APPLICABILITY

5900.1 ADVANCED REGISTERED NURSE-PRACTITIONER

An advanced registered nurse-practitioner is a registered nurse prepared in a formal educational program to assume an expanded role in providing health care services. Advanced registered nurse-practitioners, when functioning within the authorized scope of practice, are qualified to assume primary responsibility for the care of their patients. This practice incorporates the use of independent judgment as well as collaborative interaction with physicians, dentists, or osteopaths.

5900.2 Chapters 40 (Health Occupations: General Rules) 41 (Health Occupations: Administrative Procedures), and 54 (Registered Nursing) of this title shall supplement this chapter.

5901 GENERAL REQUIREMENT

5901.1 Only a person currently licensed, as a registered nurse under Chapter 54 of this title shall be eligible to apply for a certificate to practice as a nurse-practitioner under this chapter.

5902 TERM OF CERTIFICATE

5902.1 Subject to § 5902.2, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each even-numbered year.

5902.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the certificate, or other date established by the Director.

5903 RENEWAL OF CERTIFICATE

5903.1 A holder of a certificate to practice as a nurse-practitioner shall renew his or her certificate by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the certificate.

5903.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the certificate expires.

5903.3 A certificate holder shall have the burden of notifying the Board if a renewal notice is not received.

5903.4 A certificate holder shall notify the Board in writing of a change of home or business address within thirty (30) days of the change.

5903.5 A certificate holder applying for renewal of a certificate to practice as a nurse-practitioner shall:

- (a) Maintain current licensure as a registered nurse in the District of Columbia;
- (b) Submit evidence of current national certification or recertification, as applicable, by the American Nurses Credentialing Center (ANCC) or other national certifying body approved by the Board; and
- (c) Beginning with the 2006 renewal period, submit proof of completion of fifteen (15) contact hours of continuing education, which shall include a pharmacology component. A continuing education program, course, seminar, or workshop shall be approved by the ANCC or other nationally certifying organization recognized by the Board and related to the certificate holder's specialty. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.

5903.6 A certificate holder shall submit a verification form of completion, for each program, course, seminar, or workshop for which continuing education is claimed.

5903.7 A certificate holder applying for renewal of a certificate who fails to submit

proof of having completed the requirements as set forth in § 5903.5 by the date the certificate expires may renew the certificate within sixty (60) days after the expiration by submitting the required documents and paying the required late fees.

5903.8 Upon submitting the required documents and paying the required late fees, the certificate holder shall be deemed to have possessed a valid certificate during the period between the expiration of the certificate and the submission of the required documents and fees.

5903.9 If a certificate holder applying for renewal of a certificate fails to submit proof of completion of the requirements as set forth in § 5903.5 or pay the late fee within sixty (60) days after the expiration of the certificate holder's certificate, the certificate shall be considered to have lapsed on the date of expiration and the certificate holder shall thereafter be required to apply for reinstatement of an expired certificate and meet all requirements and fees for reinstatement.

5903.10 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the certificate after expiration, if the certificate holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:

- (a) Serious and protracted illness of the certificate holder; and
- (b) The death or serious and protracted illness of a member of the certificate holder's immediate family.

5904 EDUCATIONAL REQUIREMENTS

5904.1 An applicant for a license to practice as a nurse-practitioner shall furnish proof satisfactory to the Board, in accordance with § 608(c) of the Act, D.C. Official Code § 3-1206.08, that the applicant has successfully completed a post-basic nursing education program applicable to the area of practice approved by the Board or accredited by a nationally recognized body accepted by the Board and which is relevant to the nurse-practitioner's area of practice.

5904.2 [REPEALED]

5904.3 [REPEALED]

5904.4 [REPEALED]

5905 NATIONAL EXAMINATION

- 5905.1 In addition to the requirements in § 5901 and § 5904, to qualify for a certificate to practice as a nurse practitioner in the District of Columbia, an applicant shall receive a passing score on the national certification examination by the American Nurses Credentialing Center (ANCC) or any other nationally recognized certifying body accepted by the Board.
- 5905.2 An applicant shall submit proof of having obtained a passing score on the examination by arranging to have official written verification of the certification, or a certified notarized copy of the examination results, sent directly to the Board.
- 5905.3 A national certification program acceptable to the Board shall provide:
- (a) A scope of practice statement that reflects the standards of specialized and advanced nursing practice in the area of certification;
 - (b) An approval process for the formal programs of study in the area of certification which shall:
 - (1) Be based on measurable objectives that relate directly to the scope of practice;
 - (2) Include theoretical and clinical content directed to the objectives; and
 - (3) Be equivalent to at least one academic year preceptorship which is part of the formal program and shall be included as part of the academic year. Current practice in the area of certification will not be accepted as a substitute for the formal program of the study.
 - (c) An examination in the area of certification which shall:
 - (1) Measure the theoretical and clinical content denoted in the scope of practice;
 - (2) Be developed in accordance with generally accepted standards of validity and reliability; and
 - (3) Be open only to registered nurses who have successfully completed the program of study referred to in paragraph (b) of this subsection.
 - (d) A certification maintenance program.
- 5905.4 The passing score on the certification examination shall be the passing score established by the certifying body administering the examination.

5905.5 The Board shall issue and update a list of nationally recognized certifying bodies accepted by the Board.

5905.6 Failure to maintain recertification as a nurse-practitioner shall result in the loss of status as a nurse-practitioner.

5906 CERTIFICATION BY ENDORSEMENT

5906.1 An applicant is eligible for certification by endorsement if the applicant is currently licensed or certified, in good standing, as a nurse practitioner under the laws of a state or territory of the United States.

5906.2 To apply for certification by endorsement, an applicant shall:

- (a) Submit a completed application on the forms required by the Board;
- (b) Submit a copy of his or her current license or certificate as a nurse practitioner with the application;
- (c) Obtain licensure or certification verification from the current state or territory of licensure or certification, that the license or certificate is current and in good standing. The verification form must be sent directly to the Board by the verifying Board;
- (d) Meet any other requirements as set forth by the Board; and
- (e) Pay all required fees.

5906.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.

5906.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.

5907 STANDARDS OF CONDUCT

5907.1 A nurse practitioner shall adhere to the standards set forth in the American Nurses Association's "Code of Ethics," as they may be amended or republished from time to time.

5908 SCOPE OF PRACTICE

5908.1 A nurse practitioner shall practice in accordance with §§ 604 and 606 of the Act, D.C. Code §§ 2-3306.4 and 2-3306.7 (1988).

5908.2 [Repealed]

5908.3 [Repealed]

5909 PRESCRIPTIVE AUTHORITY

5909.1 A nurse practitioner shall have authority to prescribe legend drugs and controlled substances subject to the limitations set forth in § 5910.

5909.2 A nurse practitioner shall have authority to prescribe drugs only while certified in accordance with this chapter.

5909.3 Prescriptions for drugs shall comply with all applicable District of Columbia and federal laws.

5909.4 A nurse practitioner who administers or prescribes a prescription drug shall enter in the patient's chart on the date of the transaction or, if the chart is not available, no later than the next office day, the following information:

(a) Each prescription that a nurse-practitioner orders; and

(b) The name, strength, and amount of each drug that a nurse practitioner administers.

5909.5 Pursuant to § 514 of the Act, D.C. Official Code § 3-1205.14(a)(19), the Board may suspend or revoke the license or take other disciplinary action against any applicant or licensee who prescribes, dispenses, or administers drugs when not authorized to do so.

5910 PRESCRIBING CONTROLLED SUBSTANCES

5910.1 A nurse-practitioner shall have authority to prescribe those drugs on Schedules II through V established pursuant to the District of Columbia Uniform Controlled Substances Act of 1981, D.C. Code §§ 33-501 *et seq.*, that are authorized by the protocol under which the nurse-practitioner is practicing.

5910.2 A nurse practitioner shall not prescribe a controlled substance unless a licensed, certified nurse practitioner meets the following requirements:

(a) Possesses a valid controlled substances certificate of registration from the United States Drug Enforcement Administration (DEA); and

(b) Possesses a valid District of Columbia controlled substances registration pursuant to D.C. Official Code §§ 48-901.02 *et seq.*, the District of Columbia Uniform Controlled Substances Act.

5910.3 A nurse practitioner shall not issue a refillable prescription for a controlled substance.

5910.4 A nurse practitioner shall maintain a current and complete log of all controlled substances that the nurse practitioner prescribes in accordance with regulations for record keeping promulgated by the United States Drug Enforcement Administration.

5911 [REPEALED]

5912 USE OF TITLES OR ABBREVIATIONS

5912.1 Only a person certified by the Board to practice as a nurse practitioner may use the title or abbreviation “Nurse-Practitioner,” “Certified Nurse-Practitioner,” or “C.N.P.”.

5912.2 A nurse-practitioner may place the titles or abbreviations in § 5912.1 after his or her name, alone or in combination with other letters or words identifying categories of specialization, including, but not limited to, the following:

- (a) Adult-Nurse Practitioner;
- (b) Pediatric Nurse-Practitioner
- (c) Family Nurses-Practitioner
- (d) Gerontologic Nurse-Practitioner
- (e) Neonatal Nurse-Practitioner; and
- (f) School Nurse-Practitioner
- (g) Psychiatric Nurse-Practitioner

5912.3 A specialty area of nursing practice shall be declared, and the specialty title to be utilized shall be the title which is granted by a nationally recognized accrediting body or the title of the specialty area of nursing practice in which the nurse practitioner has received postgraduate educational preparation.

**5913 PRACTICE OF A CERTIFIED REGISTERED NURSE-PRACTITIONER
IN HEALTH CARE FACILITIES REQUIRING A FORMAL
EVALUATION**

5913.1 An APRN shall be evaluated by another APRN licensed to practice in the same specialty area.

5914 SUPERVISED PRACTICE OF STUDENTS

5914.1 A student may practice as a nurse practitioner only in accordance with the Act and this chapter.

5914.2 A student fulfilling education requirements for certification and practicing within the limitations set forth in § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), shall be authorized to engage in the supervised practice as a nurse practitioner without a District of Columbia certificate.

5914.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5914.4 Only a nurse practitioner certified under the Act, who is an appointed faculty member of the accredited school or college, or a preceptor meeting the requirements set forth in chapter 56 of this Title, shall be authorized to supervise the practice of a student.

5914.5 A student who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the ANCC or other certifying body approved by the Board.

5914.6 All supervised practice of a student shall take place under general or immediate supervision.

5914.7 A student under this section shall not assume administrative or technical responsibility for the operation of a nurse practitioner program, unit, service, or institution.

5914.8 A student shall identify himself or herself as such before practicing as a nurse practitioner. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.

- 5914.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.
- 5914.10 The appointed supervising faculty member shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.
- 5914.11 The Board may deny an application for a certificate by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

5915 SUPERVISED PRACTICE OF GRADUATES

- 5915.1 A graduate may practice as a nurse practitioner only in accordance with the Act and this chapter.
- 5915.2 An individual may be authorized to engage in the supervised practice as a nurse practitioner as a graduate nurse practitioner, without a District of Columbia certificate if the individual:
- (a) Graduated from post-basic nursing education program for nurse practitioners approved by the ANCC or other certifying board approved by the board;
 - (b) Is awaiting the results of the certification examination given by the ANCC or other certifying body approved by the board; and
 - (c) Has an initial application pending for certification to practice as a nurse practitioner in the District of Columbia.
- 5915.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5915.4 Within five (5) business days after the application for certification has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that his or her application is pending and that he or she is authorized to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance;
- (b) Upon receipt of written notice to the applicant of denial of certification;
- (c) Upon receipt of notice to the applicant that the applicant has failed the certification examination; or
- (d) Upon receipt of written notice to the applicant from the Board that the application for certification has been denied, whichever occurs first.

- 5915.5 Upon receipt of the practice letter, the graduate shall inform employers of the date of expiration of the letter and shall immediately cease practice as a nurse practitioner on that date or upon receipt of written notice as set forth in § 5915.4, whichever date is the earliest. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice as a nurse practitioner in the District.
- 5915.6 The graduate shall immediately notify the Board and the graduate's supervisor of the results of the certification examination.
- 5915.7 Only a nurse practitioner certified under the Act, who is a supervisor, shall be authorized to supervise practice as a nurse practitioner by a graduate.
- 5915.8 A supervisor shall not supervise more than two (2) graduates at one time.
- 5915.9 All supervised practice of a graduate shall take place under general or immediate supervision.
- 5915.10 A graduate who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 5915.11 A graduate under this section shall not assume administrative or technical responsibility for the operation of a nurse practitioner program, unit, service, or institution.
- 5915.12 A graduate shall identify himself or herself as such before practicing as a nurse practitioner. A graduate shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the graduate and the position title.
- 5915.13 A graduate shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.

5915.14 The supervisor shall be fully responsible for all practice by a graduate during the period of supervision and is subject to disciplinary action for any violation of the Act or this chapter by the graduate.

5915.15 The Board may deny an application for a certificate by, or take other disciplinary action against, a graduate who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the graduate to practice.

5916 SUPERVISED PRACTICE OF APPLICANTS FOR CERTIFICATION BY ENDORSEMENT

5916.1 An applicant may practice as a nurse practitioner only in accordance with the Act and this chapter.

5916.2 An applicant for certification by endorsement shall be authorized to engage in the supervised practice as a nurse practitioner in the District of Columbia without a District of Columbia certificate if the applicant:

- (a) Is currently certified by the ANCC or a certifying body approved by the Board;
- (b) Is currently licensed, in good standing, under the laws of a state or territory of the United States; and
- (c) Has an initial application pending for certification by endorsement to practice as a nurse practitioner in the District of Columbia.

5916.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5916.4 Within five (5) business days after the application for certification by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance; or
- (b) Upon receipt of written notice from the Board that the application for certification has been denied, whichever date is the earliest.

- 5916.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease practice as a nurse practitioner. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice as a nurse practitioner in the District.
- 5916.6 Only a nurse practitioner certified under the Act, who is a supervisor, shall be authorized to supervise practice as a nurse practitioner by a graduate.
- 5916.7 A supervisor shall not supervise more than two (2) applicants at one time.
- 5916.8 All supervised practice of an applicant shall take place under general or immediate supervision.
- 5916.9 An applicant who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 5916.10 An applicant under this section shall not assume administrative or technical responsibility for the operation of a nurse practitioner program, unit, service, or institution.
- 5916.11 An applicant shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 5916.12 The supervisor shall be fully responsible for all practice by an applicant during the period of supervision and is subject to disciplinary action for any violation of the Act or this chapter by the applicant.
- 5916.13 The Board may deny an application for a certificate by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

5999 DEFINITIONS

- 5999.1 For purposes of this chapter, the following terms have the meanings ascribed:

Act— Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 et seq.).

Applicant: a person applying for a license to practice as a nurse-practitioner under this chapter.

Board: the Board of Nursing, established by § 204 of the Act, D.C. Official Code § 3-1202.04.

Certificate: a certificate to practice as a nurse practitioner under this chapter.

Certified nurse practitioner: a registered nurse trained in an educational program and certified by a recognized national certification organization to provide healthcare services who, when functioning within the authorized scope of practice, is qualified to assume primary responsibility for the care of patients.

Clinical practice: the routine application of the principles of a nurse practitioner to the diagnosis and treatment of disease and the maintenance of health.

Graduate— an individual who has graduated from a post-basic nursing education program for preparation to practice as a nurse practitioner.

Supervisor – a registered nurse practitioner certified under the Act who is responsible for the supervision of a student, graduate, or applicant.

5999.2 The definitions in § 4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

CHAPTER 60 CLINICAL NURSE SPECIALIST

Secs.	
6000	Applicability
6001	General Requirements
6002	Term of Certificate
6003	Renewal of Certification
6004	Educational Requirements
6005	National Examination and Certification
6006	Certification By Endorsement
6007	Standards of Conduct
6008	Scope of Practice
6009	Prescriptive Authority
6010	Prescribing Controlled Substances
6011	[Repealed]
6012	Use of Titles or Abbreviations
6013	Practice Of A Certified Registered Nurse-Practitioner In Health Care Facilities Requiring A Formal Evaluation
6014	Supervised Practice of Students
6015	Supervised Practice of Graduates
6016	Supervised Practice of Applicants for Certification By Endorsement
6099	Definitions

6000 APPLICABILITY

6000.1 A clinical nurse specialist is an expert clinician and clinical leader in a particular specialty or subspecialty of nursing and is prepared in a formal educational program to assume an expanded role in providing health care services. The clinical nurse specialist possesses refined knowledge and skills pertinent to the medical needs of patients in a specialty area. Clinical nurse specialists, when functioning within their scope of practice, are qualified to assume primary responsibility for the care of their clients.

6000.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 54 (Registered Nursing) of this title shall supplement this chapter.

6001 GENERAL REQUIREMENT

6001.1 Only a person currently licensed as a registered nurse under chapter 54 of this title shall be eligible to apply for a certificate to practice as a clinical nurse specialist under this chapter.

6002 TERM OF CERTIFICATE

6002.1 Subject to § 6002.2, a certificate issued to this chapter shall expire at 12:00 midnight of June 30 of even-numbered year.

6002.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a certificate issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the certificate, or other date established by the Director.

6003 RENEWAL OF CERTIFICATE

6003.1 A holder of a certificate to practice as a clinical nurse specialist shall renew his or her certificate by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the certificate.

6003.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the certificate expires.

6003.3 A certificate holder shall have the burden of notifying the Board if a renewal notice is not received.

6003.4 A certificate holder shall notify the Board in writing of a change of home or business address within thirty (30) days after the change.

6003.5 A certificate holder applying for renewal of a certificate to practice clinical nurse specialty shall:

- (a) Maintain current licensure as a registered nurse in the District of Columbia;
- (b) Submit evidence of current national certification or recertification, as applicable, by the American Nurses Credentialing Center (ANCC) or any other nationally recognized certifying organization accepted by the Board; and
- (c) Beginning with the 2006 renewal period, submit proof of completion of fifteen (15) contact hours of continuing education, which shall include a pharmacology component. A continuing education program, seminar, or workshop shall be approved by the ANCC or other nationally certifying body recognized by the Board and shall be related to the certificate holder's specialty. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.

6003.6 A certificate holder shall submit a verification form of completion, for each program, course, seminar, or workshop for which continuing education is claimed.

6003.7 A certificate holder applying for renewal of a certificate who fails to submit

proof of having completed the requirements as set forth in § 6003.5 by the date the certificate expires may renew the certificate within sixty (60) days after the expiration by submitting the required documents and paying the required late fees.

6003.8 Upon submitting the required documents and paying the required late fees, the certificate holder shall be deemed to have possessed a valid certificate during the period between the expiration of the certificate and the submission of the required documents and fees.

6003.9 If a certificate holder applying for renewal of a certificate fails to submit proof of completion of the requirements as set forth in § 6003.5 or pay the late fee within sixty (60) days after the expiration of the certificate holder's certificate, the certificate shall be considered to have lapsed on the date of expiration and the certificate holder shall thereafter be required to apply for reinstatement of an expired certificate and meet all requirements and fees for reinstatement.

6003.10 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the certificate after expiration, if the certificate holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:

- (a) Serious and protracted illness of the certificate holder; and
- (b) The death or serious and protracted illness of a member of the certificate holder's immediate family.

6004 EDUCATIONAL REQUIREMENTS

6004.1 An applicant for a license to practice as a clinical nurse specialist must furnish proof satisfactory to the Board, in accordance with § 608 (c) of the Act, D.C. Official Code § 3-1206.08, that the applicant is educationally prepared, at a minimum, at the master's level, and has satisfactorily completed an accredited master's degree program in the clinical specialty area in which he or she practices.

6005 NATIONAL EXAMINATION AND CERTIFICATION

6005.1 In addition to the requirements in § 6001 and § 6004, to qualify for a certificate to practice as a clinical nurse specialist in the District of Columbia, an applicant shall receive a passing score on the national certification examination by the American Nurses Credentialing Center (ANCC) or any other nationally recognized certifying body accepted by the Board.

- 6005.2 An applicant shall submit proof of having obtained a passing score on the ANCC certification examination by arranging to have official written certification of the certified copy of the examination results, sent to the Board.
- 6005.3 A national certification program acceptable to the Board shall provide:
- (a) A scope of practice statement that reflects the standards of specialized and advanced nursing practice in the area of certification;
 - (b) An approval process for the formal programs of study in the area of certification which shall:
 - (1) Be based on measurable objectives that relate directly to the scope of practice;
 - (2) Include theoretical and clinical content directed to the objectives; and
 - (3) Be equivalent to at least one academic year preceptorship which is part of the formal program and shall be included as part of the academic year. Current practice in the area of certification will not be accepted as a substitute for the formal program of study.
 - (c) An examination in the area of certification which shall:
 - (1) Measure the theoretical and clinical content denoted in the score of practice;
 - (2) Be developed in accordance with generally accepted standards of validity and reliability; and
 - (3) Be opened only to registered nurses who have successfully completed the program of study referred to in paragraph (b) of this section.
 - (d) A certification maintenance program.
- 6005.4 The passing score on the certification examination shall be the passing score established by the certifying body administering the examination.
- 6005.5 The Board shall issue and update a list of nationally recognized certifying bodies accepted by the Board.
- 6005.6 Failure to maintain recertification as a clinical nurse specialist shall result in the loss of license status as a clinical nurse specialist.

6006 CERTIFICATION BY ENDORSEMENT

- 6006.1 An applicant is eligible for certification by endorsement if the applicant is currently licensed or certified as a clinical nurse specialist under the laws of a state or territory of the United States.
- 6006.2 To apply for certification by endorsement, an applicant shall:
- (a) Submit a completed application on the forms required by the Board;
 - (b) Submit a copy of his or her current license or certificate as a clinical nurse specialist with the application;
 - (c) Obtain verification from the current state or territory of licensure or certification that the license or certificate as a clinical nurse specialist is current and in good standing. The verification form must be sent directly to the Board by the verifying Board;
 - (d) Meet any other requirements as set forth by the Board; and
 - (e) Pay all required fees.
- 6006.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.
- 6006.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.

6007 STANDARDS OF CONDUCT

- 6007.1 A clinical nurse specialist shall adhere to the standards set forth in the American Nurses Association's "Code of Ethics," as they may be amended or republished from time to time.

6008 SCOPE OF PRACTICE CLINICAL NURSE SPECIALIST

- 6008.1 Utilizing the knowledge and skills of the particular clinical specialty, the scope of practice includes the following:
- (a) Manage health related and/or psychiatric problems;

- (b) Initiate, monitor, or alter therapies;
- (c) Design and evaluate innovations in their specialty practice; and
- (d) Such other functions and services the Board deems appropriate upon review and analysis of professional and association literature which articulates scopes and standards of Clinical Nurse Specialist.

6008.2 In addition to the general functions specified in § 3-1201.02(2) and § 3-1206.04, the clinical nurse specialist may perform any or all of the following acts:

- (a) Provide primary health care, including health promotion and disease prevention;
- (b) Perform additional special procedures and treatments specific to the specialty scope of practice;
- (c) Such other functions and services the Board deems appropriate upon review and analysis of professional and association literature which articulates scope and standards for clinical nurse specialties.

6009 PRESCRIPTIVE AUTHORITY

6009.1 A clinical nurse specialist shall have authority to prescribe legend drugs and controlled substances subject to the limitations set forth in § 5711.

6009.2 A registered clinical nurse specialist shall have authority to prescribe drugs only while certified in accordance with this chapter.

6009.3 Prescriptions for drugs shall comply with all applicable District and federal laws.

6009.4 A clinical nurse specialist who dispenses and/or prescribes a prescription drug shall enter in the patient's chart on the date of the transaction, or if the chart is not available, within a reasonable time but no later than the next business day:

- (a) Each prescription that a clinical nurse specialist orders; and
- (b) The name, strength, and amount of each drug that a clinical nurse specialist prescribes or dispenses.

6009.5 Pursuant to § 514 of the Act, D.C. Official Code § 3-1205.14(a)(19) (2001), the Board may suspend or revoke the license or take other disciplinary action against, any applicant or licensee who prescribes, dispenses, or administers drugs when not authorized to do so.

6010 PRESCRIBING CONTROLLED SUBSTANCES

6010.1 A clinical nurse specialist shall have authority to prescribe those drugs in Schedules II through V, established pursuant to the District of Columbia Uniform Controlled Substances Act of 1981, D.C. Law 4-29, D.C. Official Code §§ 48-901.02 *et seq.*

6010.2 A clinical nurse specialist shall not prescribe a controlled substance unless a clinical nurse specialist meets the following requirements;

- (a) Possesses a valid controlled substances certificate of registration from the United States Drug Enforcement Administration (DEA); and
- (b) Possesses a valid District of Columbia controlled substances registration pursuant to D.C. Official Code §§ 48-901.02 *et seq.*, the District of Columbia Uniform Controlled Substances Act.

6010.3 A clinical nurse specialist shall not issue a refillable prescription for a controlled substance.

6010.4 A clinical nurse specialist shall maintain a current and complete log of all controlled substances that the clinical nurse specialist prescribes, in accordance with regulations for record keeping promulgated by the United States Drug Enforcement Administration (DEA).

6011 [REPEALED]

6012 USE OF TITLES AND ABBREVIATIONS

6012.1 Any person who qualified under this chapter and whose application for an advanced practice registered nurse practitioner certificate has been approved by the Board shall have the right to use the title “advanced practice registered nurse” and clinical nurse specialist may use the title or abbreviation designated by the approved national certifying body. No other person shall assume such title or use such abbreviation. No other person shall use any other title, words, letter, signs, or figures to indicate that the person using the name is recognized as a certified clinical nurse specialist. Only persons certified as a Clinical Nurse Specialist by the Board shall be designated as such and have the right to use the title “Clinical Nurse Specialist” (“CNS”).

**6013 PRACTICE OF A CERTIFIED REGISTERED CLINICAL NURSE
SPECIALIST IN HEALTH CARE FACILITIES REQUIRING A FORMAL
EVALUATION**

6013.1 An APRN shall be evaluated by another APRN licensed to practice in the same specialty area.

6014 SUPERVISED PRACTICE OF STUDENTS

6014.1 A student may practice as a clinical nurse specialist only in accordance with the Act and this chapter.

6014.2 A student fulfilling education requirements for certification and practicing within the limitations set forth in § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), shall be authorized to engage in the supervised practice as a clinical nurse specialist without a District of Columbia certificate.

6014.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

6014.4 Only a clinical nurse specialist certified under the Act, who is an appointed faculty member of the accredited school or college, or a preceptor meeting the requirements set forth in chapter 56 of this Title, shall be authorized to supervise the practice of a clinical nurse specialist by a student.

6014.5 A student who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the ANCC or other certifying body approved by the Board.

6014.6 All supervised practice of a student shall take place under general or immediate supervision.

6014.7 A student under this section shall not assume administrative or technical responsibility for the operation of a clinical nurse specialist program, unit, service, or institution.

6014.8 A student shall identify himself or herself as such before practicing as a nurse practitioner. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.

6014.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.

- 6014.10 The supervisor or preceptor, as applicable, shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.
- 6014.11 The Board may deny an application for a certificate by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

6015 SUPERVISED PRACTICE OF GRADUATES

- 6015.1 A graduate may practice as a clinical nurse specialist only in accordance with the Act and this chapter.
- 6015.2 An individual shall be authorized to engage in the supervised practice as a clinical nurse specialist as a graduate clinical nurse specialist, without a District of Columbia certificate if the individual:
- (a) Graduated from a post-basic nursing education program for clinical nurse specialists approved by the ANCC or other certifying body approved by the Board;
 - (b) Is awaiting the results of the certification examination given by the ANCC or other certifying body approved by the Board; and
 - (c) Has an initial application pending for certification to practice as a clinical nurse specialist in the District of Columbia.
- 6015.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 6015.4 Within five (5) business days after the application for certification has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that his or her application is pending and that he or she is authorized to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Ninety (90) days from the date of issuance;
 - (b) Upon receipt of written notice to the applicant of denial of certification;

- (c) Upon receipt of notice to the applicant that the applicant has failed the certification examination; or
- (d) Upon receipt of written notice to the applicant from the Board that the application for certification has been denied, whichever date is the earliest.

- 6015.5 Upon receipt of the practice letter, the graduate shall inform employers of the date of expiration of the letter and shall immediately cease practice as a clinical nurse specialist on that date or upon receipt of written notice as set forth in § 6015.4, whichever date is the earliest. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice as a clinical nurse specialist in the District.
- 6015.6 The graduate shall immediately notify the Board and the graduate's supervisor of the results of the certification examination.
- 6015.7 Only a clinical nurse specialist certified under the Act, who is a supervisor, shall be authorized to supervise the practice of a clinical nurse specialist by a graduate.
- 6015.8 A supervisor shall not supervise more than two (2) graduates at one time.
- 6015.9 All supervised practice of a graduate shall take place under general or immediate supervision.
- 6015.10 A graduate who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 6015.11 A graduate under this section shall not assume administrative or technical responsibility for the operation of a clinical nurse specialist program, unit, service, or institution.
- 6015.12 A graduate shall identify himself or herself as such before practicing as a nurse practitioner. A graduate shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the graduate and the position.
- 6015.13 A graduate shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 6015.14 The supervisor shall be fully responsible for all practice by a graduate during the period of supervision and is subject to disciplinary action for

any violation of the Act or this chapter by the graduate.

- 6015.15 The Board may deny an application for a certificate by, or take other disciplinary action against, a graduate who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the graduate to practice.

6016 SUPERVISED PRACTICE OF APPLICANTS FOR CERTIFICATION BY ENDORSEMENT

- 6016.1 An applicant may practice as a clinical nurse specialist only in accordance with the Act and this chapter.

- 6016.2 An applicant for certification by endorsement shall be authorized to engage in the supervised practice as a clinical nurse specialist in the District of Columbia without a District of Columbia certificate if the applicant:

- (a) Is currently certified by the ANCC or a certifying body approved by the Board;
- (b) Is currently licensed, in good standing, under the laws of a state or territory of the United States; and
- (c) Has an initial application pending for certification by endorsement to practice as a clinical nurse specialist in the District of Columbia.

- 6016.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

- 6016.4 Within five (5) business days after the application for certification by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:

- (a) Ninety (90) days from the date of issuance; or
- (b) Upon receipt of written notice from the Board that the application for certification has been denied, whichever date is the earliest.

- 6016.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease practice as a clinical nurse specialist on that date or upon receipt of written notice as set forth in § 6015.4, whichever date is the earliest. The applicant thereafter may practice in any other area for which the applicant is qualified and licensed in the District, until receipt of a certificate to practice as a clinical nurse specialist in the District.
- 6016.6 Only a clinical nurse specialist certified under the Act, who is a supervisor, shall be authorized to supervise the practice of a clinical nurse specialist by an applicant.
- 6016.7 A supervisor shall not supervise more than two (2) applicants at one time.
- 6016.8 All supervised practice of an applicant shall take place under general or immediate supervision.
- 6016.9 An applicant who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 6016.10 An applicant under this section shall not assume administrative or technical responsibility for the operation of a clinical nurse specialist program, unit, service, or institution.
- 6016.11 An applicant shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.
- 6016.12 The supervisor shall be fully responsible for all practice by an applicant during the period of supervision and is subject to disciplinary action for any violation of the Act or this chapter by the applicant.
- 6016.13 The Board may deny an application for a certificate by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

6099 DEFINITIONS

- 6099.1 For purposes of this chapter, the following terms have the meanings ascribed:

Act— Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 et seq.).

Applicant: a person applying for a license to practice as a clinical nurse specialist under this chapter.

Board: the Board of Nursing, established by § 204 of the Act, D.C. Official Code § 3-1202.04.

Certificate: a certificate to practice as a clinical nurse specialist under this chapter.

Clinical practice: the routine application of the principles of clinical nurse specialist to the diagnosis and treatment of disease and the maintenance of health.

Graduate— an individual who has graduated from a post-basic nursing education program for preparation to practice as a clinical nurse specialist.

Nationally recognized certifying body: is one that offers a national certification examination in the specialty area of advanced nursing practice, utilizes standards and principles of the American Board of Nursing Specialties (ABNS), and provides a mechanism for evaluating continued competency in the specialty area of nursing practice.

Supervisor: means a certified clinical nurse specialist who is responsible for the supervision of a student, graduate, or applicant.

6099.2 The definitions in § 4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.